DOCUMENT RESUME

ED 332 348 EA 023 005

AUTHOR Archibald, Doug A.
TITLE The Minnesota Postsecondary Options Law; A Case of Choice. CPRE Report Series TC-004.
INSTITUTION Center for Policy Research in Education.
SPONS AGENCY Office of Educational Research and Improvement (ED), Washington, DC.
PUB DATE Dec 90
CONTRACT G008690011
NOTE 42p.; For related studies, see EA 023 004-007.
AVAILABLE FROM Publications, Center for Policy Research in Education, Eagleton Institute of Politics, Rutgers, The State University of New Jersey, New Brunswick, NJ ($7.00 prepaid). Also available as part of a 4-title "School Choice Package" (Order No. PK-001, $21.00 prepaid).
PUB TYPE Reports - Descriptive (141)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Academic Achievement; *College Credits; *Educational Change; *Educational Policy; High Schools; Outcomes of Education; *Political Influences; Postsecondary Education; Resistance to Change; *School Choice; School District Autonomy; *State Action
IDENTIFIERS *Minnesota

ABSTRACT

Interest in school choice has reached an unprecedented level in the United States. This paper discusses the origins, political context, and controversy surrounding the 1985 Minnesota Postsecondary Enrollment Options Act (PEO), the first state-level school choice initiative and a major catalyst for other states and districts. The first section describes political and historical conditions in Minnesota that hindered widely espoused educational reforms in the mid-1980s, but that contributed to PEO. The climate of fiscal conservatism in Minnesota's legislature, the lack of perceived serious educational problems, and strong local control sentiments were inimical to big top-down reform programs. At the same time, legislators felt politically pressured to support educational reform. A window of opportunity was created for a previously unsuccessful coterie of school choice advocates. The second section focuses on policy and political outcomes of the PEO law. Student participation and performance data and competitive incentives created by PEO indicate that PEO is achieving its goals. Politically, PEO created turbulence and was opposed by Minnesota education groups. An analysis of the PEO debate's language and tactics suggests that much controversy and opposition stemmed from a struggle over authority and a defense of professional educators' control that is incompatible with school choice goals. (27 references) (Author/MLH)

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The Minnesota Postsecondary Options Law

A Case of Choice

Doug A. Archbald

THE STATE UNIVERSITY OF NEW JERSEY
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December 1990

CPRE Research Report Series TC-004

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ABSTRACT

Interest in school choice has reached an unprecedented level in the United States. Magnet schools and open enrollment programs are growing rapidly; many different types of school choice proposals, including tuition vouchers and tax credits for private schools, have come before state legislatures and school boards nationwide. Some have become controversial; most have been opposed by public school groups. This paper discusses the origins, political context, and controversy surrounding a school choice policy, the 1985 Minnesota Postsecondary Enrollment Options Act (PEO). This policy is important because it was the first significant state-level school choice initiative and was a major catalyst in spurring other states and districts into action on school choice.

The first part of the report describes political and historical conditions in Minnesota that stood in the way of widely espoused education reforms in the mid-1980s, but that contributed to the enactment of PEO. The climate of fiscal conservatism in Minnesota's legislature in the early 1980s, the lack of a perception of serious educational problems in Minnesota, and strong local control sentiments, were inimical to big top-down reform programs. At the same time, legislators felt pressure to "do something" in the context of nationwide interest in education reform, and there was political mileage to be gained by proposing and supporting education reform. The national wave of reform created a window of opportunity for a coterie of school choice advocates in Minnesota who, until 1985, had little luck with previous school choice initiatives.

The second part of the report focuses on policy and political outcomes of the PEO law. Student participation and performance data, and competitive incentives created by PEO which have fostered innovation, indicate PEO is achieving its goals. Politically, however, PEO created turbulence. PEO was opposed by Minnesota education groups and provoked significant local resistance. An analysis of the language and tactics of the PEO debate suggests much of the controversy and opposition stemmed from a struggle over authority and a defense of professional educators' control that is in key respects incompatible with goals of school choice.

This paper is one of three case studies dealing with educational choice published by the Center for Policy Research in Education. The other two case studies, written by Richard F. Elmore, are Community School District 4, New York City: A Case of Choice and Educational Clinics in Washington State: A Case of Choice. Each case study was designed either to be used separately or in conjunction with Working Models of Choice, an analytical paper, also Richard F. Elmore. The basic facts of the separate cases are incorporated into the analytical paper. The cases, however, include little explicit analysis, and are as descriptive as possible. The cases may be used, then, as a vehicle to provoke analysis and discussion of public school choice independently of the author's analysis of the issue.

ACKNOWLEDGEMENTS

The author would like to thank William Clune, Richard Elmore, and Betty Malen for comments on earlier drafts of this report.

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INTRODUCTION

New kinds of tests, raised graduation requirements, lengthened school days, effective schools policies, dropout prevention strategies--these common reforms seldom challenge seriously the prevailing distribution of control over money and authority in public education. Proposals intending to change established traditions and authority relationships in education rarely survive the policy-making process. This is a report about one that did, the Minnesota Postsecondary Enrollment Options Act (PEO) enacted in June 1985 and amended in 1986.

One purpose of PEO is to expand high school students' access to more challenging and diverse courses. But, like open enrollment, site-based autonomy, and tuition tax credits, PEO is also in a class of reforms which restructures authority and control. PEO enables any 11th- or 12th-grade public school student in Minnesota to take college courses for secondary or postsecondary school credit. Tuition comes from state foundation aids for public education and is transferred with the student. Thus, PEO puts control over the allocation of course credit and a certain fraction of state aids in the hands of individual students and their parents.

The enactment of PEO is a significant event in politics and reform in education. PEO is an unprecedented policy and an anomaly in the national pattern of education reforms characterized by increasing centralized control over testing and curriculum. A form of regulated education voucher for 15- and 16-year-olds, PEO implements a market dynamic in public education. Given the history of vigorous opposition of public education associations to vouchers, that high school students can now choose among

schools and wield some market leverage in Minnesota is remarkable. PEO was also the first of and a key impetus for a spate of state-level school choice initiatives from 1987 to 1990.[1]

This report, following a description of methodology and PEO's provisions, is divided into two parts. The first part deals with the provisions and political context of PEO. It explains some of the broader political and historical conditions contributing to the enactment of this path-breaking policy. The second part deals with effects. It is divided into two sections. Section I focuses on policy effects: implementation issues, student participation and performance, and some structural ramifications of incentives created by PEO. Section II focuses on political effects. PEO, as a form of school choice policy, embodies a free market rationale which is critical of traditional forms of authority and control in public education. From this perspective, Section II analyzes the controversy PEO fomented and suggests opposition to PEO was in part a defense of professional control over education. The concluding section discusses the significance of PEO as an education reform and offers more general cautions and observations on PEO and school choice.

METHODOLOGY

Data derive from approximately 75 interviews (15 to 60 minutes) and a review of documents from the Minnesota state legislature and the Minnesota Department of Education (1987).[2] Interviews were conducted with legislators, legislative aides, the state commissioner of education, managers and specialists in the department of education, lobbyists from each of the major public education associations in Minnesota, academics, policy consultants, representatives from higher education (academic deans, admissions officers, members of boards), and administrators, board members, and teachers from six school districts. The great majority of interviews were face-to-face interviews conducted in 1986, around 8 to 10 months after the enactment of PEO; about 20 follow-up telephone interviews were conducted intermittently between 1987 and 1990. Thorough notes were taken during each interview, and typed into computer data files.

Although the topics covered in interviews varied depending upon who the informant was, I attempted to elicit from each informant general views of PEO: Overall, was it a good policy? Was it an improvement? Did the informant agree with the policy's stated goals and rationale? How did the informant view the purposes and effects of PEO? I also asked about technical aspects of the law and about implementation effects--were there impacts of PEO on guidance, scheduling, staffing, morale, or other areas?

The six districts were selected to provide a range in size and proximity to postsecondary institutions. The three largest districts were in cities that contained postsecondary institutions (either community colleges, state colleges, or private colleges). The three smallest districts, each with less than 2,000 students, were situated relatively

close to cities with postsecondary institutions--within reasonable driving distance. Participation in PEO from the sample districts ranged from a high of 7.5 percent of juniors and seniors in one of the larger districts to zero in one of the smaller ones. This presented an opportunity to interview persons in schools influenced and not influenced by PEO.

Additional data derive from an evaluation of PEO by Decision Resources Corporation for the Minnesota Department of Education (MDE, 1987). Phone interviews were conducted with a random sample of 1,000 PEO students, and these students' parents were surveyed. All high school principals and postsecondary schools were surveyed to get responses to questions about PEO and its implementation, and to collect information on enrollment levels, coursetaking, and grades of students participating in PEO.

PROVISIONS AND CONTEXT OF THE PEO LAW

PEO allows Minnesota high school juniors and seniors to take tuition-free college courses at any college they choose for high school credit. The decision to take college courses rests with the student and his or her parents. Students may take any non-sectarian college courses, and may enroll full-time.

Tuition for courses taken through PEO comes from a transfer of money following the student from the sending high school to the recipient postsecondary school. The payment to a college for each high school student is determined by a formula based on the per pupil expenditure for the district where the student attends and the proportion of time the student is in attendance at the college. So, for instance, if a high school student takes half of a full-time credit load of courses at a college, the college is entitled to up to half of roughly $3,000, depending upon the college's institution's tuition costs. Postsecondary schools cannot be reimbursed at a level greater than their normal tuition charge. (In private colleges, the transfer of state aids commonly falls short of the college's educational costs). Credits taken during 11th or 12th grade and applied toward a high school diploma can later be applied toward a college diploma subject to approval of the granting institution.

Overall, there are very few restrictions to participation in PEO. Any 11th or 12th grader can apply to take college courses through the PEO policy. Admission is based on the college's regular entrance requirements. PEO in some respects is a regulated education voucher policy.

POLITICAL CONTEXT

Interview respondents were asked to describe the impetus for Minnesota education reforms and to give reasons why some proposals were enacted into law and some were not. The following set of factors emerged as themes in these interviews: tight money, the lack of perception of an educational problem, a strong tradition of local control, pressures from the national wave of reform, and the legitimacy of the idea of school choice in Minnesota education politics. These conditions help explain why PEO was passed, while other reforms popular in other states did not occur in Minnesota.

Tight Money. Minnesota, at the time of the national wave of reform, was still recovering from a major 1981-83 state-wide recession, caused in part by a dramatic drop in demand for iron from Minnesota's Mesabi range. State aid to education dropped from $1.52 billion to $.94 billion from 1981 to 1983 (Peek and Wilson, 1983). It appears Minnesota legislators, supported by the main business lobbying organization, the Minnesota Business Partnership, were reluctant to pass expensive reform packages. "Aspirations for reform were tempered by expectations for revenue. . .In policy salience, educational reform simply could not compete with jobs creation, tax relief, and fiscal management in the 1983 and 1984 legislative session" (Mazzoni and Sullivan, 1985, p. 171).

A number of respondents claimed one of the main attractions of PEO was its negligible price tag. For instance, a legislative aide queried on the subject of fiscal support for the proposal on the grounds that the PEO bill might have included money for transportation, information dissemination, counseling and guidance, etc., stressed that attaching significant costs to the bill could have jeopardized its success.

The Lack of a Perception of an Educational Problem. Expensive reforms, both in

terms of fiscal and political costs, are worth pursuing if the state's education system is viewed as needing major improvements. For instance, many states in the nation's south, such as Georgia, Florida, and Texas, with a history of comparatively low expenditures and low performance have recently infused substantial sums of money targeted at educational reform. Policy actors in Minnesota do not see the system as deficient. That Minnesota has a high-quality teaching force was mentioned in many interviews. With the lowest dropout rate in the nation, college entrance test scores among the highest in the nation, and an absence of sprawling big city ghettos or barrios sprinkled with slum schools, the state lacks some of the more visible indicators that provide rallying symbols for reformers. Several state-level interviews produced the comment, "If it ain't broke, don't fix it." (This rationale was unpersuasive to those believing the system as a whole could be improved through policies of school choice, like PEO.)

A Strong Tradition of Local Control. A successful and decentralized economy, local corporate ownership, ethnic homogeneity, a dominant Northern European strain of Protestant individualism--all contribute to Minnesota's populist political culture (Pierce, 1983). In education this has meant minimal state regulation (although like in other states, the state role is expanding). One legislative respondent, after stating, "there is no significant force for a change to a highly centralized education system," gave this example: "Six years ago a senator suggested consolidating down to 90 districts (from 434). It generated the most anti-mail in the history of the legislature."

The traditional role of the State Department of Education in Minnesota has been service oriented, not regulation oriented. An analyst in the Minnesota legislature wrote: "In general, the Minnesota approach has been based on state funded pilot programs, demonstration of successful ideas, fiscal incentives for districts to adopt certain

programs, state and local cooperation, and local decision making about priorities for improvement. The legislature has avoided mandates in most areas with the exceptions being a mandated local process for decision making on curriculum and a state board mandate for an expanded secondary curriculum that must be available to all students."[3]

Minnesota currently has a modest state-wide testing program. It provides substantial local discretion, and does not permit school- or district-level public comparisons of scores. While the Minnesota Business Partnership, several legislators, and a few policy reports pushed for more frequent and comparative testing, these proposals did not pass. The main reform policies that emerged from Minnesota's legislature had a decidedly local control flavor: a mandate-free policy to facilitate use of technology in schools; a money-free and relatively toothless minimum competency policy--Assurance of Mastery; several pilot programs and incentives policies to promote mastery learning and effective schools techniques; and PEO.

A legislator explained in an interview, "As compared to Florida and California, we've trusted the process a little more. We shied away from mandates. We believe those closest to the student can best facilitate learning."

The Wave of Reform in Minnesota. The national wave of reform created pressure and opportunity for state education reformers and law-makers to initiate action. Newspaper coverage of Assistant Education Secretary Chester Finn's talk at a Minnesota university highlighted the risk of Minnesota's education system "resting on its laurels," and finding "places like Tennessee and North Carolina and Florida and even Arkansas and Mississippi gradually catching up" (Smetanka, 1984, Dec. 3).

As in states across the country, there was in Minnesota much reform rhetoric and activity. Minnesota generated its own plethora of task forces and reform reports.[4] Some

advocated the kinds of standards-raising and accountability reforms inspired by A Nation At Risk "reducing electives and increasing graduation requirements, raising standards of admission to teacher-education programs, expanding testing and strengthening accountability policies" (NCEE 1983).

The legislature funded a much-publicized $250,000 study by "outside experts" to recommend education reforms for the state of Minnesota.[5] The Governor, in one of his first official acts shifted the responsibility of choosing the chief state school officer from the state board of education to the Governor's office. He appointed a self-described change agent who publicly proclaimed a commitment to educational "restructuring." One of her first efforts was to travel across the state, convening town meetings as part of the high-profile "Minnesota Dialogue" on education.[6] The Governor also set up a formal "discussion group" composed of educational leaders charged with meeting monthly to collaborate on a "visionary plan" for improving Minnesota schools. The Governor's 1985 "Access to Excellence" plan, in which choice proposals figured prominently, received much press coverage and played an agenda-setting role in subsequent legislative debates on education reform (Mazzoni, 1986).

Despite this reform activity there were as neither sufficient votes in the legislature nor support among advisors to support major reform packages or new mandates.[7] The perception that Minnesota education was generally in good shape, memory of the recent fiscal crisis, and a reluctance to interfere with local control stood in the way of major top-down policies; but these conditions were more congenial to PEO.

Legitimacy of Choice Proposals. Passage of PEO was facilitated by Minnesota policymakers' familiarity with the idea of school choice from previous proposals. Throughout the early 1980s, a number of prominent Minnesota education reformers had

been championing the idea of choice in books, articles, and speeches. In 1982 the Minnesota Citizens League proposed a seriously considered education voucher bill. This proposal help legitimate the voucher concept, owing to the respectability and non-partisan nature of the Citizen's League. Also in 1982, permissive legislation was enacted allowing high schools to set up programs whereby students could take college courses (but there was no mandated transfer of funds).[8]

Joe Nathan, a Minnesota educator, author, staff member of the National Governor's Association, and former St. Paul school administrator, in his 1983 Free to Teach proposed a program of choice for public schools (Nathan 1983). Ted Kolderie of the Hubert Humphrey Institute at the University of Minnesota has long argued for "teachers in private practice" and other policies promoting choice in his series of newsletters from his Public Services Redesign Project. In 1983, John Brandl, an economics professor and Minnesota legislator proposed vouchers for low-income students (Brandl, 1989).

In 1984, a study of Minnesota education (Berman, Weiler and Associates, 1984) recommended, among other reforms, inter-district open enrollment and a PEO-like policy. Later in the year, the Governor made a speech at the Citizen's League stating the need for family choice in Minnesota. In 1985 he outlined a public school choice plan--which ultimately lead to a bill proposing PEO--in his "Access to Excellence" education report.

Thus, by the time legislators were deliberating over the PEO bill late in the spring of 1985, school choice in Minnesota had developed a solid intellectual tradition with influential proponents.[9] PEO was less foreign an idea than it otherwise would have been in the absence of these precursors and was generally perceived by legislators as a

viable reform.

Summary of Political Context. This section described political and historical conditions in Minnesota that stood in the way of widely espoused education reforms in the mid-1980s, but that contributed to the enactment of PEO. The climate of fiscal conservatism reigning in the legislature in the early 1980s, the lack of a perception of serious educational problems in Minnesota, and strong local control sentiments were inimical to big top-down reform programs. At the same time, legislators felt pressure to "do something" in the context of nation-wide interest in education reform, and there was political mileage to be gained by proposing and supporting education reform.

The national wave of reform created a window of opportunity for advocates of policies supporting choice in education. As one legislative activist put it, "The circumstances were ripe; these people [advocates of choice] were ready when the opportunity arrived. The Berman-Weiler report was a catalyst. Ted Kolderie and Citizens League also were instrumental. . .in the right place at right time. It all came together. The Governor and a few key legislators were receptive." Thus, PEO--a low-cost, decentralized approach to improvement with precedents and credible backers--entered the legislative arena with important advantages.

PEO was passed in June 1985 by the Minnesota legislature as part of an education omnibus bill. The other part of the choice package, a school district open enrollment plan which was strongly opposed by education groups, did not make it into the education omnibus bill and was defeated. These groups did not lobby directly against PEO, although as I discuss in Section II it too was unpopular with them. Supported by several key legislators, most importantly an influential House Majority Leader, PEO passed quite easily. In 1988, the open enrollment plan was passed.

EFFECTS OF THE POSTSECONDARY ENROLLMENT OPTIONS ACT

This section describes two types of effects of PEO. Section I focuses on direct policy effects of PEO. It draws on interviews and department of education data to discuss implementation issues and effects of PEO related to is goal of opening access to college level courses for high school students.

Section II analyzes the controversy PEO provoked and discusses PEO's political significance. This analysis discusses reasons PEO was opposed by organized education associations in Minnesota and by most public school administrators. Section II provides broader insights into the politics of opposition to school choice.

SECTION I: IMPLEMENTATION ISSUES, STUDENT PARTICIPATION OUTCOMES, AND INSTITUTIONAL IMPACTS

Implementation Issues. When PEO was passed in the summer of 1985, there was little experience, either in Minnesota or elsewhere, to draw upon to put PEO smoothly into practice. A school board official from a small city with several postsecondary institutions said:

> Initially, PEO caused a lot of problems. The state had no idea what they were doing when it first came out. None of the whats, whens, and hows were answered. . .Initially we feared that large numbers of students might leave the high school and the university might do a lot of recruiting. . .

Several guidance counselors told me they first heard about PEO upon returning to their jobs after the summer. Some first heard of the new policy from parents inquiring about participation. "We first learned about PEO the day we got back [to

school after the summer]. It got laid on us like a ton of bricks. There were hundreds of phone calls. . . . All we had ever heard about was open enrollment."[10] They [the MDE] had meetings for us to tell us how to prepare after the fact."

State officials and school administrators were confronted with a bewildering variety of new administrative tasks after PEO was enacted into law. One, as suggested above, was informing people of the new law. Although no data are available, it is likely a large fraction of Minnesota parents had no knowledge of PEO whatsoever in the first semester (Fall 1985) following its enactment. In the fall, the MDE set up a PEO "hotline" to answer questions about PEO and it distributed to school districts materials about PEO that described registration procedures and responsibilities of participating students and schools. "Choosing Wisely, Choosing Well," a brochure for students prepared by the MDE, describes details of PEO and factors students should consider in a decision to take a postsecondary course. The department of education now has several specialists whose responsibilities include collecting data on transfers and helping families and schools with information and problem resolution.

Registration and scheduling of PEO students brought a number of new tasks and problems. The application form for participation in PEO went through repeated revisions over several semesters before a satisfactory form was settled upon. Scheduling mismatches between high school and college schedules produced other problems: students beginning a college course that began several weeks after the beginning of the high school semester sometimes lost the option of dropping the course and re-entering a comparable high school course because they had missed too much of the high school course. And in some high schools, seniors intending to participate in their graduation ceremony had not yet received grades for postsecondary courses (due to differing

schedules). Occasionally high school principals were asked to grant a diploma under these conditions. That they did not always do so resulted in a number of appeals to the state board of education.

PEO's counseling and scheduling requirements added to the workload of guidance counselors.[11] Counseling staff in St. Paul, for instance, told of repeated meetings to establish policies related to participation in PEO and of long hours involved in arranging schedules of participating students and discussions with students and parents inquiring about the PEO. Guidance staff often spend up to an hour per student handling registration in a postsecondary school, although problem cases can consume more time.

A third set of implementation issues concerned allocating money. Decisions had to be made concerning how much to pay, when to pay, and who should manage payments for PEO courses (since each college had its own tuition costs, rules, and procedures). Some localities faced the problem of determining how many high school credits should be granted for college courses that were on a different schedule (e.g. trimesters) with different credit-hour formulas. Also requiring attention were details such as whether high schools or colleges would keep books, lab equipment, and the like, purchased for high school students taking college courses for high school credit and whether or not a student in PEO could qualify for financial aid.

In any policy as new and untried as PEO, implementation difficulties are to be expected. State and local administrators solved problems as they arose and worked out procedures in a decentralized fashion between individual districts and postsecondary schools. Districts that had previous administrative experience with high school students taking college courses assisted the department of education and other districts during

PEO's first year.

Amendments to PEO between the first and second year smoothed out several trouble spots. Perhaps most important, rules specified a date by which districts were to inform students of PEO (March 1) and what information was to be furnished. And students were required to give sufficient advance notice to districts (about 5 months) of their intent to participate and to declare whether PEO courses were being taken for college or high school credit. Other clarifications and modifications were made, and at this date, implementation issues have largely been resolved.

Statistics on Policy Effects and Student Performance. According to figures and interview data from the department of education (MDE), the great majority of districts successfully enrolled students in postsecondary schools. In the 1985-86 school year, 3.2 percent of the state's 11th and 12th graders from 63 percent of Minnesota's 434 school districts took at least one postsecondary course through PEO. (Participation is currently about 5 percent of high school juniors and seniors taking at least one PEO course.) Only 7 (out of 434) school districts had more than 15 percent of their 11th and 12th graders enroll in postsecondary courses through PEO. According to the MDE survey, only 10 percent of principals reported PEO necessitated changing the schedule of events or classes, and 85 percent reported PEO did not affect the number or type of courses offered, nor the number of teacher or counselors on their staffs. And while there is substantial variation in fiscal impact of PEO on districts, the great majority of districts did not suffer significant losses of state aid from students taking college courses through PEO. The average revenue reduction per district was .1 percent of total operating revenue, .8 percent of grade 11 and 12 foundation revenue.

Data on student performance in PEO are quite favorable:

- Seventy-four percent of PEO students were enrolled in academic courses (37%, humanities; 25%, language arts; 12%, math/science); and students rated postsecondary courses as harder than comparable high school courses for 71 percent of the courses they took; 23 percent of courses were rated as the same level of difficulty.

- PEO students completed 87 percent of the courses they took, dropping 13 percent. Of those completing courses, half received A's or B's; less than 1 percent failed.

- Ninety-five percent of participating students were either "satisfied" or "very satisfied" with their PEO experience and 90 percent said they learned more from their PEO courses than if they had taken only high school courses. Parents of PEO students were similarly positive about the academic benefits from participating in PEO.

The travails of implementation, the feeling among many school administrators that PEO was foisted on them, and negative rhetoric from education associations engendered some ill-will among local educators directed at the PEO law and its supporters. On the MDE survey, compared to the favorable ratings of students and parents, just 49 percent of teachers, rated themselves either "very" or "generally supportive" of PEO, and 38 percent of principals reported PEO negatively affected staff morale.[12] In my interviews, principals, while acknowledging PEO had not hurt their school, often expressed reservations "in principle" about PEO.

Interestingly, guidance counselors, who shouldered much of the burden of implementation, appeared to have assumed a constructive attitude--80 percent of principals reported their guidance staff to be supportive of PEO. While counselors took on additional responsibilities with PEO, my interviews suggested this responsibility was viewed as service central to their professional role and was found to be generally gratifying.

Encouraging Market Responsiveness and Innovation. PEO was supported on grounds that it would create competitive incentives, and that this was something that was needed to improve public education. There is evidence that PEO stimulated high schools to be more responsive to a demand that apparently existed for more challenging courses. Statewide, the percent of Minnesota high schools offering College Board Advanced Placement courses increased from 10.5 percent in 1984, the year before the law was passed to 21.6 percent in 1989.[13] This suggests an effort on the part of high schools to offer courses to help retain and satisfy potential PEO "leavers." Along the same lines, high schools in small rural areas have collaborated to offer advanced courses and electives that formerly they did not offer, and individually still could not offer.

A number of high schools and postsecondary institutions have developed arrangements whereby postsecondary courses (including evening courses) are offered in the high school. (Currently, about 30 high schools offer University of Minnesota courses, through an arrangement with the Minneapolis campus; other campuses in the University of Minnesota system and some community colleges and technical institutes do this as well. There are no statewide figures to indicate how widespread these practices are.) These courses are taught either by high school teachers with advanced degrees certified to teach college-level courses, or by college teachers. Offering college courses in high schools through PEO is preferable for students not wanting or not able to travel to a college campus; and it reduces scheduling difficulties--which principals and guidance counselors appreciate. Also, the tuition payment going to the college is lower because the cost of courses taught in high schools are lower. Another beneficial outcome is the incentive this program creates for high school teachers to pursue advanced graduate work in order to qualify to teach college courses through PEO. Doubtless, this

strengthens the high school staff as a whole, possibly benefiting all students.

PEO also stimulated some changes in Minnesota's postsecondary vocational system. Area Vocational Technical Institutes (AVTI) traditionally offered courses in three- to six-hour blocks of time. Participation of PEO students early on in AVTI courses was very low because of the difficulty of scheduling these large blocks of time into students' daily schedules. This, as well as a desire to become more responsive to a growing adult clientele, led AVTI officials to reorganize their program of offerings to make AVTI courses more accessible to students needing scheduling flexibility.

In sum, PEO seems to have been successful in its policy goals of creating more course options and expanding access to more difficult courses for high school students. Most implementation issues have been resolved. Students have taken primarily academic courses and performed well in them. At the same time, the percentage of PEO students taking postsecondary courses is low enough that the vast majority of high schools have not been adversely affected by the law. In the less than 2 percent of districts where student participation was more significant (e.g., 10-20%), healthy scrutiny of the reasons for this exodus resulted and special counseling arrangements were set up to insure well-informed participation by students in PEO. PEO has fostered innovation and enhanced the responsiveness of Minnesota's education institutions.

SECTION II: PEO'S CHALLENGE TO PROFESSIONAL AUTHORITY

Introduction. To discuss only policy effects of PEO would miss the law's profound political significance. Virtually all of Minnesota's education associations opposed PEO, although some were more public in their reaction than others. Most influential were the Minnesota Education Association, the Minnesota Federation of

Teachers, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Association of Secondary School Principals, and the Association of Stable and Growing School Districts. That six of the most powerful of Minnesota's education associations banded together in a group called "6M," in part in response to the emergence of education choice proposals in Minnesota, testifies to the salience of these proposals in the education lobby's agenda. Additionally, there was much opposition to PEO among school superintendents, many of whom voiced their objections in local newspaper articles and more informally in meetings with department of education officials.

An administrator in the Minnesota Department of Education wrote, "[PEO provoked] more reaction than any education legislation or policy in the last decade" (Montano, 1989, p. 171). The reaction of education associations and leaders was out of proportion to the relatively low level of student participation in PEO, the relatively minute funding implications, and the negligible impact on teachers' jobs. Not that these issues were unimportant, but they were separate from the less openly and less easily discussed issue of PEO's implications for authority and control over students, courses, and money. PEO challenged and provoked a defense of control over education by school authorities and centralized boards. As Finn (1989, p. 31) has put it:

> Choice. . .is a principle by which to reconstruct the fundamental organizational dynamics of the whole vast enterprise of elementary/secondary education. That, I think, accounts for the zeal and urgency of the advocates--and also for the vigor of the opponents. . .There are ideas in conflict here, principles at war, doctrines in contention. This makes the tussle much more interesting, to be sure, but also vastly more consequential.

Authority, as used here, has a sociological meaning which is broader than the familiar conception of formal authority in bureaucratic organizations referring to

hierarchically arranged positions and corresponding rights and duties. In the broader sense, authority is a form of social control, or "legitimate domination," in Max Weber's seminal theory (Roth and Wittich, 1978). Centralized control by education authorities over funding, students, and curriculum is widely accepted by the public. This control, while it is subject to criticism from time to time, is generally believed to be justified, and legitimate. It has authority. However, this level of control can change if prevailing conceptions of authority change. The conception of family and market authority advanced in choice theory proposes such a change.

Following, I describe and interpret the significance of several themes in my interviews that emerged when informants reflected on problems with PEO and reasons they disagreed with the law. Quotes selected are representative of these themes, and serve to illustrate the views and sentiments elicited by my questions. Although informants' reactions to PEO cover much ground, I suggest they defend two fundamental sources of professional authority: expertise and ideals of public service.

Defending the Authority of Professional Competence and Expertise. Specialized technical knowledge is the source of professional expertise. In education and other university-based professions, accumulated knowledge from practice, research, and training, certified by credentials, is the basis of expert authority. This authority means that people generally accept that "the professional knows best." He or she defines the clients needs and selects and administers the "treatment" for the need, whether that treatment is an architectural blueprint, legal advice, a medical prescription, or a certain type of curriculum and pedagogy. The idea of families choosing their own courses, teachers, and schools, and controlling funds with their choices--all of which PEO made possible--conflicts with and, as discussed next, provoked a defense of the model of

control by education professionals.

Tales of bad choosing. In the 1985-86 school year following PEO's enactment, education representatives and administrators highlighted incidents which cast doubt on the ability of families to choose well, thus challenging an assumption of the consumer authority model underlying choice theory. Tales of bad choosing --students participating in PEO for "the wrong" reasons--abounded in communication networks of public educators. A couple of cities with community colleges within walking distance lost up to a third of their seniors, and achieved a kind of martyrdom among public high school administrators and PEO's state-level critics. A guidance counselor told me of students enrolling without serious thought, dropping out of their college courses too late to re-enter needed high school courses, and consequently not graduating on schedule. Typical of the kind of hyperbole that PEO seemed to inspire, one principal of a high school told me, "I've had students not graduate in droves." And there were oft-repeated (see-what-we-meant) stories of students enrolled in basket-weaving course at community colleges. It appears some stories became quite exaggerated.

One illuminating response from an administrator revealed an alternative definition of "choice." Asked how many students were participating in PEO, he responded, "We had six students walk." "Walk" is a term used in the military and in prisons implying desertion, betrayal, or escape. This term imposes a different meaning on the act of choosing college courses and the college environment over the courses and environment of the high school. Referring to this process as "choosing to take college courses" or "participating in PEO" stresses reasoning and educationally acceptable motives. Describing the act as "walking" questions motives and judgment.

These stories were salient in the discourse of school people and in the larger

debate over school choice in Minnesota carried out in meetings and the media. Tales of bad choosing were offered to counter the family-as-decider presumption endorsed by PEO. These tales' veracity is less important than their function of justifying the need for the expert authority of professionals to guide and approve curriculum decisions of 15- and 16-year-olds.

Invidious comparisons. Part of the animosity directed toward PEO was a reaction to the symbolic potency of the image of a high school's most talented students having to leave the premises to receive rigorous schooling. PEO suggested many high schools were incapable of serving the most mature and capable students; invidious comparisons of quality between courses and teachers at high schools and those of postsecondary schools were evident. High school administrators bristled at this message, particularly when the object of comparison was community colleges--their chief competition under PEO.

Several superintendents proclaimed in newspaper articles the superiority of their courses to those of surrounding community colleges.[14] "I'll put our physics course up against any college physics course" one superintendent announced. Similar to the tales of student abuses and mishaps with PEO were announced discoveries that colleges and high schools sometimes used the same textbooks. Some public educators asked rhetorically if students enrolled in remedial courses in colleges should be turned over to high schools, with high schools receiving the college's state aid. Administrators believed it perverse that their students could leave the premises to take potentially inferior community college courses in a logistically cumbersome process, with high schools footing the bill.

The problem of comparability of courses emerged as a main issue in the choice

controversy. One outcome was an unsuccessful amendment proposal limiting PEO enrollment only to college courses with content proved to be unavailable at the high school. This would have returned authority and control over course selections and participation in PEO to the high school. Symbolically it would have reaffirmed that educational professionals know best.

In different ways these rebuttals to PEO sought to deflect its challenge to the expert authority of secondary school educators. PEO helped legitimate the choice rationale in Minnesota and nationally, and it tangibly shifted some control over course decisions, and thus funding, to parents and 11th and 12th grade students. The rebuttals to PEO blunted the sharper points of the public choice critique, affirmed the need for professional expertise in guiding course decisions, and alleviated damage to professional pride.

Defending Authority Based on the Public Service Tradition. A second source of professional control in education derives from a powerful tradition celebrating ideals of public service. Educators, ministers, medical and social workers, public defenders, and other service professionals exercise much discretion beyond the reach of supervisors and other forms of accountability. The public grants public service professionals control over policies and resources, not only because of a trust in professional expertise, but also because of a trust in ideals of public service.[15] Integral to the authority of service professionals is a long institutionalized tradition of working and sacrificing for the public good.

Evident in choice theory and implicit in the arguments for PEO is the premise that public service ideals in education are subordinate to goals of expanding professional control and resisting accountability. Market principles are advocated to counter these

tendencies. The Legislative Majority Leader told me she was irked by the lack of initiative taken by school districts in response to her 1982 legislation allowing students to take college courses if the high school and college agreed to it (although the law did not mandate a transfer of funds to cover tuition). She explained the need for PEO: "We needed to give parents and students the leverage. We said if districts aren't going to enable these kinds of opportunities, then we'll have to change the power base. Change the incentives and change who determines participation."

The "monopoly thesis" of the public choice critique threatened authority Minnesota educators derive from public service ideals. Educators responded partly by voicing concern that PEO would hurt, not help, schools. PEO would create scheduling difficulties; loss of funds would damage high school programs; students uninformed about PEO or living far from a college would be put at an educational disadvantage. These arguments put education representatives in the position of arguing for equity and efficiency in education, and by implication, affirming the ideal of commitment to public service. However, in a more offense-like strategy, PEO's critics questioned motives and ideals behind PEO.

One view questioned the democratic origins of the law. A school administrator explained, "Reform can be a groundswell. . . can come from the bottom up as a result of popular support or it can come from the top." PEO, he emphasized, came out of the legislature and not out of the State Department of Education or out of popular support. According to a high school principal, "The problem is that it [PEO] was developed by the legislature. It doesn't have credibility with school people. It was a response to Nation At Risk. . .a forced initiative, going down with novelty." An education interest group representative said:

> The public has a better sense of what education needs than the backers of the choice policies [mentioning particular names]. These [backers] have access to the media and press and make public education [the established public education associations] out to be bad guys. . .They keep promoting an agenda and I'm not sure what it is, but it's always choice. Professors seem to get stuck on ideas and push them without understanding the realities.

Another theme in the oppositional rhetoric was suspicion of ulterior vested interests producing PEO. Postsecondary institutions were a natural target, although I was told both by representatives of postsecondary institutions and other outside informants that colleges did not lobby in support of PEO.[16] Nonetheless, suspicions persisted, heightening sensitivity to the practice of recruiting. After PEO's enactment, education representatives and administrators charged that some colleges engaged in inappropriate recruiting of high school students.

Postsecondary representatives and administrators were aware of the sensitive issue of financial gain through PEO and discouraged recruiting; but some recruiting, not a lot, did occur. For instance, although recruiters were not visibly present, in some places the visibility of college messages (eg., radio commercials, signs on buses, etc.) was said to escalate.[17] A representative of a college told of some hostile exchanges in telephone conversations with high school administrators in which the representatives of postsecondary education felt they were seen to personify the wrong perpetrated upon public education by PEO. College officials in many cases found themselves in a precarious position, caught between normal and necessary outreach functions and avoiding all appearances of PEO-inspired recruiting. Relations were most stressed in

those communities where high schools and community colleges were in close proximity.

There were other targets of suspicions about the origins of and motives behind PEO. While PEO does not fund sectarian courses, PEO permits students to take courses in private denominational colleges. In the eyes of some, this implicated the Catholic schools lobby and raised questions about the possibility or a long term agenda aimed ultimately at a public and private school education voucher law. A school board member said, "There is concern for its implications--a foot in the door concern--once you begin to talk about choice. First it's open enrollment; then public money to private colleges. Is public money for private schools next?" Shortly after PEO was passed, the Minnesota Federation of Teachers entered into litigation over the transfer of state funds to private sectarian colleges made through the PEO law.

These challenges to PEO sought to undercut the authority of PEO by challenging the breadth of its support and by questioning the motives of supporters. Implicit is the invocation of a normative democratic legislative model, to which the enactment of PEO did not properly conform. Although this does not directly counter the monopoly thesis, indirectly, like an ad hominem argument, the thesis is undercut by challenging the credibility of its purveyors. Discrediting the monopoly thesis and PEO's market rationale indirectly strengthens the legitimacy of the public service rationale. To relevant audiences in schools, mass media, and government, the counter rhetoric proclaims opposition to PEO is a public-spirited effort to maintain equal opportunity and protect public education from the unsound ideas of outside special interests.

CONCLUDING COMMENTS ON EFFECTS OF PEO AND ITS SIGNIFICANCE AS AN EDUCATIONAL REFORM

This paper began with a description of historical and political conditions accounting for the 1985 enactment of PEO, a novel, some would say radical, law embodying education voucher principles. At a time when most states were in the thick of reforms raising graduation and testing requirements and centralizing school governance, Minnesota education policy went in the decentralizing direction of school choice. PEO was a product of a window of opportunity created by the national reform fever of the mid-1980s, strong local control values, tight budget conditions, and a tenacious group of reformers able to provide support and lend credibility to the traditionally radical idea of school choice.

PEO was viewed as a means to create a better match between public educational services and students' needs by expanding the supply and range of courses accessible to high school students and by relying on market principles to improve institutional responsiveness to clientele. According to PEO's rationale, if a high school student wants and is capable of managing greater independence and intellectual challenges than is available in high school, then state policy should encourage, not prevent, such pursuits. Placing the decision about enrolling in college courses in the hands of the student (and parents) frees the student from required enrollment in high schools and high school courses.

As a policy to open access to more diverse and challenging courses for juniors and seniors, PEO seems to have been effective. PEO has improved the capacity of Minnesota's public education institutions to accommodate the diversity of needs and

abilities of high school students. It has done this by allowing high school juniors and seniors to take college courses tuition-free for high school credit, and by creating incentives for high schools to develop programs (sometimes jointly, sometimes with colleges) to serve more effectively those students attracted by PEO's opportunities. While PEO was not without implementation-year difficulties and new information, counseling, and paperwork demands, overall PEO seems to have realized its goals without serious unanticipated problems and expense to the state.

PEO is important in another way. It signifies the ascendance of the concept of school choice, which has gained many adherents recently and which challenges fundamental "givens" underlying traditions of authority and control in public education. While the negative reaction among education associations to PEO was due in part to concerns about its impact on school budgets, scheduling needs, and course offerings, controversy and opposition also reflected PEO's challenge to school officials' professional authority, and the centralized control that authority brings. Much opposition to PEO, I submit, was opposition on grounds of professional interests and principles--that is, resisting what was viewed as an erosion of authority over decisions public education representatives believed were more properly entrusted to professional discretion.

Thus, in addition to the direct policy effects of PEO, the law also brought a modest, but significant, transformation in the structure of authority in Minnesota public education--a form of decentralization. The significance of such a change should not be underestimated. For it is how people view and justify authority, more precisely who has authority over what, that is the basis of public acquiescence to profoundly important decisions about how money and other social and educational resources are allocated.[18] I

suspect the fervency and the persistence of opposition to PEO (years after the policy was passed) reflects, as least implicitly, recognition of this fact.

One should refrain from over-generalizing from the controversy over PEO in Minnesota. PEO's apparent success as a policy in spite of Minnesota education associations' political opposition might strengthen school choice proponents' conviction that market principles are needed in public education and that organized opposition impedes progress. Such a broad interpretation is unwarranted. There are myriad approaches to school choice, our knowledge of their likely effects is inadequate, and some school choice "remedies" might do more harm than good. Successful opposition, then, might spare schools, taxpayers, and students consequences of deficient policies.

To sustain PEO's effectiveness, it will be necessary to maintain a strong program of student and parent counseling. Currently, the law prohibits postsecondary institutions from using special admissions criteria for PEO students. The intent is to give all students the same opportunity, but this expands the pool of students qualified to enroll in PEO courses and thus more likely to experience difficulty with the greater responsibilities of postsecondary courses. So far, student failure in PEO courses has not posed unmanageable difficulties. However, as the administration of PEO becomes more routine and the program itself more institutionalized, and at the same time, if PEO loses its "specialness," it is conceivable the number of ill-prepared students enrolling in PEO courses could increase. This could also happen if colleges employ injudicious recruiting practices to bolster their enrollments with PEO students. Such eventualities could lead to higher failure rates in PEO, or, just as detrimental, lowered standards in college courses with PEO students. Sound counseling and guidance will be needed to insure that students considering PEO courses have a clear understanding of the potential

consequences of their decisions. Further, to the extent that families are knowledgeable about their options, they will more capably play the role of enlightened educational consumer, insuring greater institutional responsiveness and accountability in Minnesota's education system.

NOTES

1. In 1989 alone, a number of different school choice proposals were debated or voted on in legislatures in Arkansas, Arizona, California, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Nebraska, New York, Texas, Washington, and Wisconsin. Inter-district open enrollment bills were passed in Arkansas, Iowa, and Nebraska (Schmidt, 1989, May 31), and defeated in Arizona, Colorado (Walsh, 1989, April, 26) and Wisconsin. Various voucher bills were defeated in most of the rest of the states (Walsh, 1989, May 31). See also, Education Commission of the States, (1989).

2. These interviews were conducted as part of the Center for Policy Research's larger "wave of reform" study which collected policy and interview data and built a "core data base" on six states on a variety of reform policies (see Clune, 1989, p. 5-7).

3. See Krupey (1985).

4. Minnesota reports include:

a) Rebuilding Education to Make it Work, by the Educational Alternatives Committee of the Minnesota Citizen's League, Minneapolis, Minnesota, 1982.

b) Report to the Governor, by the Governor's Commission on Education for Economic Growth, St. Paul, Minnesota, 1984.

c) Minnesota Academic Excellence Foundation: 1984-85 Strategic Plan, St. Paul, 1984.

d) The Minnesota Education Association's Agenda for Educational Excellence, St. Paul, Minnesota Education Association, 1984.

e) Initiatives for Excellence-Continuing Minnesota's Commitment to Education Improvement, by Senator Jim Pehler, Senator Tom Nelson, Representative Bob McEachern, and Representative Ken Nelson. St. Paul, State of Minnesota, 1985.

f) Toward Excellence in Education, Minnesota Wellspring, St. Paul, Minnesota, 1985.

g) Striking A Better Bargain: Strategies for the Future of Education, Minnesota Federation of Teachers, St. Paul, Minnesota, 1986.

5. Berman, Weiler and Associates (1984); see also, Center for Urban and Regional Affairs (1984) for a critical review of this study.

6. See Randall (1987).

7. The lack of impact of the national "wave" of education reform in Minnesota prompted the Minneapolis Star and Tribune to dub it, "a trickle."

8. Very few students participated in the permissive program. Student tuition was not paid for unless the sending school district volunteered to or the receiving

postsecondary institution waived tuition. Districts were not required to grant students credit for college courses taken during high school. The feebleness of this law and perceptions that districts were not actively supporting it was part of the impetus for PEO.

9. On PEO's development, the director of a Minneapolis-based think tank said, "[The choice proposals] didn't surface quickly out of one or two reports. Open enrollment had been discussed for a long time around the capitol building. Also, in education there is a sizable number of legislators and staff who've been around a long enough time (over 8 or 9 years) to have had many previous discussions on choice." For more on role of individual activists and legislators in supporting PEO see, King and Roberts (1987) and Mazzoni (1989).

10. This statement refers to the open enrollment bill that in the spring received much press coverage, and that generally over-shadowed the PEO bill. The open enrollment bill, defeated that year, was later passed and is to go into effect in fall 1990.

11. So too, incidentally, did the parent notification requirements of the recently passed Assurance of Mastery law. This law requires all districts to provide (given parent approval) remedial instruction for students not achieving a locally determined cutoff score on the state test or a comparable nationally-normed standardized test.

12. The MDE principal survey did not ask specifically for principals' attitudes toward PEO (although one pair of items, not discussed in the MDE report, asked principals to offer positive and negative comments on PEO).

13. Statistics supplied by the Advanced Placement division of the College Board, in the Educational Testing Service, Princeton, New Jersey.

14. Parity of courses was also argued by Minnesota's Teacher of the Year in a point-counter point article contrasting his views with those of a legislator supporting PEO in the Minnesota Journal (Levi & Doud, 1985).

15. For treatments of the important role of public service ideals in attracting persons to and maintaining job satisfaction in the teaching profession, see Lortie (1975) and Ashton & Webb (1986).

16. A postsecondary education official acknowledged an interest in seeing the proposal succeed in the legislature, but stated unequivocally there was no way they could lobby in support of the bill. A seasoned lobbyist unaffiliated with either supporters or opposition to PEO put this in a more strategic light, declaring, "They played it brilliantly."

Another outside official said, "They [colleges] knew not to have an entrepreneurial attitude about the choice plan...shanghai-ing students off the streets to enroll in community colleges, massive recruiting drives...it would've backfired."

17. I was also told of suspicions that high schools in some instances were not disseminating information about PEO or discouraging students from participating. These claims are difficult to verify, although beliefs themselves are data on the impact of PEO on institutional relations.

18. That the open enrollment plan Governor Perpich began promoting in 1984 passed in 1988 is ample testimony to growing public and legislative acceptance of school choice in Minnesota. Minnesota's education commissioner used the success of PEO in 1987 as support for Governor Perpich's proposed state-wide open-enrollment plan that passed in 1988 (Froke, 1987).

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